

# CALFRESH (CF) PROGRAM

## REQUEST FOR POLICY/REGULATION INTERPRETATION

**INSTRUCTIONS:** Complete items 1 - 10 on the form. Use a separate form for each policy interpretation request. If additional space is needed, please use the second page. Be sure to identify the additional discussion with the appropriate number and heading. Retain a copy of the CF 24 for your records.

- Questions from counties, including county Quality Control, must be submitted by the county CalFresh Coordinator and may be submitted directly to the CalFresh Policy analyst assigned responsibility for the county, with a copy directed to the appropriate CalFresh Policy unit manager.
- Questions from Administrative Law Judges may be submitted directly to the CalFresh Policy analyst assigned responsibility to the county where the hearing took place, with a copy of the form directed to the appropriate CalFresh Bureau unit manager.

1. RESPONSE NEEDED DUE TO:		5. DATE OF REQUEST:	NEED RESPONSE BY:
<input checked="" type="checkbox"/> Policy/Regulation Interpretation <input type="checkbox"/> QC <input type="checkbox"/> Fair Hearing <input type="checkbox"/> Other:		11/8/16	11/15/16
2. REQUESTOR NAME:		6. COUNTY/ORGANIZATION:	
3. PHONE NO.:		Santa Barbara	
4. REGULATION CITE(S):		7. SUBJECT:	
		Noticing on Inactive SUAS	
		8. REFERENCES: (Include ACL/ACIN, court cases, etc. in references)	
		NOTE: All requests must have a regulation cite(s) and/or a reference(s).	
		ACL 14-66, SB 855, EBT Regulations 16-120.112	

9. QUESTION: (INCLUDE SCENARIO IF NEEDED FOR CLARITY):  
 CDSS previously stated that noticing LIHEAP recipients when their nominal (10 cents) cash benefit becomes "aged" was not required. ACL 14-66 provided counties with instructions regarding SUAS which repealed LIHEAP. The SUAS payment of \$20.01 was no longer nominal.

Question:

Is it necessary to notice recipients when their \$20.01 SUAS payment becomes inactive?

### 10. REQUESTOR'S PROPOSED ANSWER:

Per EBT Regulations 16-120.112 Upon receiving the 135-day report or when the CWD becomes aware that no debit activity has occurred for 135 days, the recipient shall be notified that after a total of 180 days of inactivity the benefits will become inaccessible, and how the recipient can reaccess the benefits.

Senate Bill 855 states: notification of a recipient's impending EBT dormant account status shall not be required when the remaining balance in a recipient's account at the time the account becomes inactive is equal to or less than the value of one year of SUAS benefits.

Answer:

Inactive and Dormant does not mean the same thing, therefore we must inform the client when their EBT account (which contains the SUAS cash benefit of \$20.01) becomes inactive.

### 11. STATE POLICY RESPONSE (CFPB USE ONLY):

No, per Senate Bill (SB) 855, it is not necessary to notice recipients if their account balance is less than or equal to the value of one year of SUAS benefits (i.e. \$20.01) at the time their account becomes inactive

SB 855, Sec 18901.2(c)(4) states, "Notwithstanding any other law, notification of a recipient's impending EBT dormant account status shall not be required when the remaining balance in a recipient's account at the time the account becomes inactive is equal to or less than the value of one year of SUAS benefits.

Benefits move through three stages: inactive, dormant and expunged. Inactive occurs after 135 days with no activity, dormant occurs at 180 days, and expunged occurs after 365 days (continued on next page).

### FOR CDSS USE

DATE RECEIVED:	DATE RESPONDED TO COUNTY/ALJ:
11/8/2016	11/14/2016 AF

# **CALFRESH (CF) PROGRAM REQUEST FOR POLICY/REGULATION INTERPRETATION (Continued)**

1. RESPONSE NEEDED DUE TO: <input type="checkbox"/> Policy/Regulation Interpretation <input type="checkbox"/> QC <input type="checkbox"/> Fair Hearing <input type="checkbox"/> Other:	5. DATE OF REQUEST:	NEED RESPONSE BY:
	6. COUNTY/ORGANIZATION:	
	7. SUBJECT:	
2. REQUESTOR NAME:  3. PHONE NO.:  4. REGULATION CITE(S):	8. REFERENCES: <i>(Include ACL/ACIN, court cases, etc. in references)</i> <b>NOTE: All requests must have a regulation cite(s) and/or a reference(s).</b>	

(continued from previous page)

When an account becomes inactive after 135 days without activity, counties are required to inform the recipient that after 180 days of inactivity the benefits will become dormant and how to reestablish access to benefits. Per SB 855 mentioned above, the exception is that the county is not required to notify a recipient of the upcoming change to dormant status, if the balance in the recipients account at the time the account becomes inactive (i.e. after 135 days) is equal to or less than the value of one year of SUAS benefits. In other words, if the recipient's account balance when the account becomes inactive is equal to or less than the value of one year of SUAS benefits the county does not need to inform the client that their EBT account contains the SUAS cash benefit of \$20.01 or that their account will become dormant if inactivity continues.